

July 3, 2019

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> St. SW  
Washington, D.C. 20554

**Re: USTelecom Ex Parte Notice, *Bridging the Digital Divide for Low-Income Consumers*, WC Docket No. 17-287; *Federal-State Joint Board on Universal Service – Lifeline and Link-Up Reform and Modernization*, WC Docket No. 11-42; *Telecommunications Carriers Eligible to Receive Universal Service Support*, WC Docket No. 09-197**

Dear Ms. Dortch:

On July 1, 2019, representatives of USTelecom, AT&T, CenturyLink, Consolidated, Frontier, Verizon and Windstream (USTelecom Members) met with Trent Harkrader, Jodie Griffin, and Nicholas Page of the Wireline Competition Bureau; the full list of USTelecom participants is below. The purpose of the meeting was for USTelecom to discuss the Universal Service Administrative Company's (USAC) implementation of the Lifeline Representative Accountability Database (RAD).

USTelecom and its members fully support the Commission's and USAC's efforts to end waste, fraud and abuse in any Universal Service Fund program, including Lifeline. USTelecom is concerned that USAC's new RAD procedures may (though it is not clear) require individual employees of USTelecom's members to provide personally identifiable information (PII) to USAC as a condition of their employment to the extent that they interact with the National Verifier (NV) database or the National Lifeline Accountability Database (NLAD) and/or are involved in Lifeline subscriber enrollment. Similar to other parties in this docket,<sup>1</sup> USTelecom does not believe that this process is what Chairman Pai intended when he instructed USAC to "require each sales agent to register with USAC with sufficient information so that USAC can verify the agent's identity and determine the ETC(s) he or she works for."<sup>2</sup> The representatives of USTelecom's members that may have to register are employees of the companies and are not compensated via "the payment structure that many Lifeline resellers use to compensate sales agents [that] can create substantial incentives for fraud."<sup>3</sup> Further, USTelecom's members are ETCs well-known to the Commission, and the Commission can easily trace any individual

---

<sup>1</sup> See Letter from Michael J. Jacobs, Vice President, Regulatory Affairs, ITTA, to Marlene H. Dortch, Secretary, FCC, WC Docket Nos. 09-197, 11-42, and 17-287 (filed June 13, 2019) (ITTA Letter); Letter from Michael R. Romano, Senior Vice President, Industry Affairs and Business Development, NTCA, to Marlene H. Dortch, Secretary, FCC, WC Docket Nos. 09-197, 11-42, and 17-287 (filed June 13, 2019)

<sup>2</sup> Letter from Ajit V. Pai, Chairman, FCC, to Vickie Robinson, Acting CEO and General Counsel, USAC, at 4 (July 11, 2017).

<sup>3</sup> *Id.*

representative back through the parent organization using simple business records like work email address and business phone number.

USTelecom also expressed its concerns with the process and procedures by which USAC and the Commission arrived at their determination as to who should have to register and what information they are required to provide. The lack of notice on these requirements not only raise substantial Paperwork Reduction Act compliance issues<sup>4</sup> but also has hindered the companies' ability to weigh in on practical matters. For example, the companies could provide insights on how their employees interact with the NV and NLAD and are involved with Lifeline subscriber enrollment. Such information would likely help the Commission and USAC develop requirements that more clearly delineate the job functions that trigger RAD registration. Additionally, companies could share insights such as how their employee contracts, particularly union contracts, may limit their ability to require employees to share their PII outside of the company and raise considerations such as how employees located outside of the United States would register in the RAD. USTelecom expressed its desire to work with the Commission on a RAD system that more appropriately provides accountability for Lifeline agents based upon their terms of employment.

Please contact me with any questions.

Sincerely,

\_\_\_\_\_/s/\_\_\_\_

Mike Saperstein  
Vice President, Policy & Advocacy

#### USTelecom Attendees

Anisa Latif—AT&T  
Tiffany Smink—CenturyLink (via phone)  
Ann Morrison—Consolidated (via phone)  
Julie Poon—Consolidated (via phone)  
Chris Burke—Frontier (via phone)  
Diana Eisner—Frontier (via phone)  
Mike Saperstein—USTelecom  
Alan Buzacott—Verizon  
Thomas Whitehead—Windstream (via phone)

---

<sup>4</sup>See ITTA Letter at 3-4.